

BILL HISTORY FOR ASSEMBLY BILL 796 (LRB-3933)

An Act to repeal 13.488 (7), 15.07 (1) (b) 15m., 15.445 (4), 42.06, 42.09 (1) and 42.105 (2); to renumber 42.105 (1); to amend 13.48 (6), 13.48 (7), 13.48 (12) (b) 2., 16.85 (1), 16.85 (6), 20.190 (1) (h), 42.04 and 42.12 (1); and to create 13.48 (10) (b) 5., 13.94 (1) (dm), 15.07 (1) (a) 8., 15.07 (2) (h), 15.93, 16.87 (5), 20.924 (3), 42.01 (4), 42.01 (5), 42.09 (3) and 42.106 of the statutes; relating to: the state fair park board; authorizing the creation of private corporations to provide support for the state fair park; construction and leasing of buildings, structures and facilities at the state fair park; and making an appropriation. (FE)

2000

- 02-25. A. Introduced by Representatives Staskunas, Gunderson, La Fave, Hutchison, Duff, Walker, Meyerhofer, Ryba, Kreuser, Ward, Plale, Hasenohrl, Bock, Hundertmark, Jensen, Krug, Kaufert, Stone, Vrakas, Underheim, Wasserman and Krusick; cosponsored by Senators Rosenzweig, Farrow, Clausing, Grobschmidt, Roessler, Welch and George.
- 02 25. A. Read first time and referred to committee on Tourism and Recreation 679
- 03-07. A. Fiscal estimate received.
- 03-09. A. Public hearing held.
- 03-09. A. Executive action taken.
- 03-09. A. Report passage recommended by committee on Tourism and Recreation, Ayes 11, Noes 0 726
- 03-09. A. Referred to committee on Rules 726
- 03-09. A. Placed on calendar 3-15-2000 by committee on Rules.
- 03-09. A. Fiscal estimate received.
- 03-14. A. Assembly substitute amendment 1 offered by Representative Staskunas (LRB s0402) 745
- 03-15. A. Assembly amendment 1 to Assembly substitute amendment 1 offered by Representative Staskunas (LRB a1847) 761
- 03-15. A. Assembly amendment 1 to Assembly substitute amendment 1 adopted 761
- 03-15. A. Assembly amendment 2 to Assembly substitute amendment 1 offered by Representative Staskunas (LRB a1846) 761
- 03-15. A. Assembly amendment 2 to Assembly substitute amendment 1 adopted 761
- 03-15. A. Assembly amendment 3 to Assembly substitute amendment 1 offered by Representative Staskunas (LRB a1836) 761
- 03-15. A. Assembly amendment 3 to Assembly substitute amendment 1 withdrawn and returned to author 761
- 03-15. A. Assembly amendment 4 to Assembly substitute amendment 1 offered by Representative Staskunas (LRB a1837) 761
- 03-15. A. Assembly amendment 4 to Assembly substitute amendment 1 withdrawn and returned to author 761
- 03-15. A. Assembly substitute amendment 1 adopted 762
- 03-15. A. Ordered to a third reading 762
- 03-15. A. Rules suspended 762
- 03-15. A. Read a third time and passed, Ayes 97, Noes 1 762
- 03-15. A. Ordered immediately messaged 762
- 03-16. S. Received from Assembly 506
- 03-16. S. Read first time and referred to committee on Agriculture, Environmental Resources and Campaign Finance Reform 508
- 03-22. S. Public hearing held.
- 03-23. S. Executive action taken.
- 03-28. S. Report introduction and adoption of Senate amendment 1 recommended by committee on Agriculture, Environmental Resources and Campaign Finance Reform, Ayes 5, Noes 0 (LRB a1964) 532
- 03-28. S. Report introduction and adoption of Senate amendment 2 recommended by committee on Agriculture, Environmental Resources and Campaign Finance Reform, Ayes 3, Noes 2 (LRB a1929) 532
- 03-28. S. Report concurrence as amended recommended by committee on Agriculture, Environmental Resources and Campaign Finance Reform, Ayes 5, Noes 0 532

03-28. S.	Available for scheduling.	
03-29. S.	Read a second time	560
03-29. S.	Referred to joint committee on Finance	560
03-29. S.	Withdrawn from joint committee on Finance and taken up	560
03-29. S.	Senate amendment 1 adopted	560
03-29. S.	Senate amendment 2 adopted	560
03-29. S.	Senate amendment 3 offered by Senator Rosenzweig (LRB a1963)	560
03-29. S.	Senate amendment 3 laid on table	560
03-29. S.	Senate amendment 4 offered by Senator Rosenzweig (LRB a2002)	560
03-29. S.	Senate amendment 4 adopted	560
03-29. S.	Ordered to a third reading	560
03-29. S.	Rules suspended	560
03-29. S.	Read a third time and concurred in as amended, Ayes 33, Noes 0	560
03-29. S.	Senator Darling added as a cosponsor	560
03-29. S.	Senator Schultz added as a cosponsor	560
03-29. S.	Ordered immediately messaged	561
03-30. A.	Received from Senate amended and concurred in as amended (Senate amendments 1, 2 and 4 adopted).	
03-30. A.	Senate amendment 1 concurred in .	
03-30. A.	Assembly amendment 1 to Senate amendment 2 offered by Representative Suder (LRB f108).	
03-30. A.	Assembly amendment 1 to Senate amendment 2 withdrawn and returned to author.	
03-30. A.	Senate amendment 2 concurred in .	
03-30. A.	Senate amendment 4 concurred in .	
03-30. A.	Action ordered immediately messaged.	

**1999
ENROLLED BILL**

99en A B-796

ADOPTED DOCUMENTS:

☐ Orig ☐ Engr

A SubAmdt 1

99 040211

Amendments to above (if none, write "NONE"):

AA1, AA2

SA1, SA2, SA4

Corrections - show date (if none, write "NONE"):

None

Topic

State fair park

4/5/00

Date

[Signature]

Enrolling Drafter

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 796**

March 14, 2000 - Offered by Representative STASKUNAS.

1 **AN ACT to repeal** 15.07 (1) (b) 15m., 15.445 (4), 42.06 and 42.105 (2); *to*
2 **renumber** 42.105 (1); *to amend* 13.48 (6), 13.48 (7), 13.48 (12) (b) 2., 13.488
3 (7) (a) and (b), 16.85 (1), 16.85 (6), 20.190 (1) (h), 42.04 and 42.12 (1); and *to*
4 **create** 13.48 (10) (b) 5., 13.94 (1) (dm), 15.07 (1) (a) 8., 15.07 (2) (h), 15.93, 16.87
5 (5), 20.924 (3), 42.01 (4), 42.01 (5), 42.09 (3) and 42.106 of the statutes; **relating**
6 **to:** the state fair park board; authorizing the creation of private corporations
7 to provide support for the state fair park; construction and leasing of buildings,
8 structures and facilities at the state fair park; and making an appropriation.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

9 **SECTION 1.** 13.48 (6) of the statutes is amended to read:

10 **13.48 (6) REVIEW OF PROJECTS.** All reports submitted as provided by sub. (4)
11 shall be reviewed by the building commission, which shall make its report as soon
12 after November 20 as is possible. Such report shall include specific

1 recommendations and establish priorities for the next 3 biennia from among all
2 projects submitted which the building commission deems essential and shall
3 recommend additional appropriations if necessary for the execution thereof. The
4 building commission shall include in the report any projects proposed by the state
5 fair park board involving a cost of not more than ~~\$500,000~~ ^{\$250,000}, together with the method
6 of financing proposed for those projects by the board, without recommendation. The
7 building commission shall include in its report an appraisal and recommendation of
8 available and alternative methods of financing buildings for the use of state agencies
9 and shall file copies of its report with the governor-elect.

10 SECTION 2. 13.48 (7) of the statutes, as affected by 1999 Wisconsin Act 9, is
11 amended to read:

12 13.48 (7) BIENNIAL RECOMMENDATIONS. The building commission shall prepare
13 and formally adopt recommendations for the long-range state building program on
14 a biennial basis. The building commission shall include in its report any projects
15 proposed by the state fair park board involving a cost of not more than ~~\$500,000~~ ^{\$250,000}
16 together with the method of financing those projects proposed by the board, without
17 recommendation. Unless a later date is requested by the building commission and
18 approved by the joint committee on finance, the building commission shall, no later
19 than the first Tuesday in April of each odd-numbered year, transmit the report
20 prepared by the department of administration under s. 16.40 (20) and the
21 commission's recommendations for the succeeding fiscal biennium that require
22 legislative approval to the joint committee on finance in the form of proposed
23 legislation prepared in proper form.

24 SECTION 3. 13.48 (10) (b) 5. of the statutes is created to read:

1 13.48 (10) (b) 5. Contracts for construction of any building, structure or facility
2 for the state fair park board involving a cost of not more than ~~\$500,000.~~ \$250,000 AA

3 SECTION 4. 13.48 (12) (b) 2. of the statutes is amended to read:

4 13.48 (12) (b) 2. A facility constructed by or for the state fair park board, if the
5 cost of constructing the facility does not exceed the amount specified in sub. (3).

6 SECTION 5. 13.488 (7) (a) and (b) of the statutes are amended to read:

7 13.488 (7) (a) The building commission, with advice from the state fair park
8 board, shall examine and review detailed design requirements for all state-owned
9 facilities involving a cost of more than \$500,000 to be included in the development
10 of state fair park. \$250,000 AA

11 (b) Final approval by the building commission for the construction of any
12 facility specified in par. (a) at state fair park shall be contingent upon a finding by
13 the building commission that the proposed project is consistent with the overall
14 objectives of the state fair park and that actual lease commitments and the
15 probability of future lease commitments are such that the building commission may
16 reasonably determine that the facility will be completely self-amortizing, including
17 principal and interest payments covering the life of any bond issue.

18 SECTION 6. 13.94 (1) (dm) of the statutes is created to read:

19 13.94 (1) (dm) Annually, perform a financial audit of the state fair park board
20 and of any private corporation with which the board contracts under s. 42.01 (4) (b).

21 SECTION 7. 15.07 (1) (a) 8. of the statutes is created to read:

22 15.07 (1) (a) 8. Members of the state fair park board appointed under s. 15.93
23 (1) (a) and (b) shall be appointed as provided in those provisions.

24 SECTION 8. 15.07 (1) (b) 15m. of the statutes is repealed.

25 SECTION 9. 15.07 (2) (h) of the statutes is created to read:

3-24 AA2

4-1 (AA2)

1 15.07 (2) (h) The chairperson of the state fair park board shall be designated
2 annually by the governor from among the members appointed under s. 15.93 (1) (c),
3 (d) and (e).

4 ~~SECTION 10. 15.445 (4) of the statutes is repealed.~~

5 ~~SECTION 11. 15.93 of the statutes is created to read:~~

6 ~~**15.93 State fair park board. (1) CREATION.** There is created a state fair park
7 board consisting of the following members:~~

8 ~~(a) Two representatives to the assembly, one appointed by the speaker of the
9 assembly and one appointed by the minority leader of the assembly. This paragraph
10 does not apply after June 30, 2003.~~

11 ~~(b) Two senators, one appointed by the majority leader of the senate and one
12 appointed by the minority leader of the senate. This paragraph does not apply after
13 June 30, 2003.~~

14 ~~(c) Five members representing business, 3 of whom have general business
15 experience, one of whom has experience in agriculture and one of whom has
16 experience with technology.~~ AA2

17 ~~(d) One resident of the city of West Allis, recommended by the mayor of West
18 Allis.~~

19 ~~(e) Three other members who are residents of this state.~~

20 ~~(f) The secretary of agriculture, trade and consumer protection and the
21 secretary of tourism.~~

22 ~~(2) TERMS. The members of the state fair park board under sub. (1) (c) to (e)
23 shall be appointed for 5-year terms.~~

24 ~~SECTION 12. 16.85 (1) of the statutes is amended to read:~~

4-4 (AA2) then 4-4B (SA 2)

1 16.85 (1) To take charge of and supervise all engineering or architectural
2 services or construction work as defined in s. 16.87 performed by, or for, the state, or
3 any department, board, institution, commission or officer thereof, including
4 nonprofit-sharing corporations organized for the purpose of assisting the state in the
5 construction and acquisition of new buildings or improvements and additions to
6 existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the
7 engineering, architectural and construction work of the department of
8 transportation, the engineering service performed by the department of commerce,
9 department of revenue, public service commission, department of health and family
10 services and other departments, boards and commissions when the service is not
11 related to the maintenance, construction and planning of the physical properties of
12 the state, and energy efficiency projects of the energy efficiency program under s.
13 16.847. The department shall adopt the architectural and engineering design
14 proposed by the state fair park board for any project to be constructed for the board,
15 if the design and specifications conform to applicable laws, rules, codes and
16 regulations. The department shall not authorize construction work for any state
17 office facility in the city of Madison after May 11, 1990, unless the department first
18 provides suitable space for a day care center primarily for use by children of state
19 employees.

20 SECTION 13. 16.85 (6) of the statutes is amended to read:

21 16.85 (6) To approve the appointment of a principal engineer or architect for
22 departments, boards and commissions and when such continuous service is needed.
23 No such engineer or architect shall be employed without the written approval of the
24 secretary. This subsection does not apply to the state fair park board.

25 SECTION 14. 16.87 (5) of the statutes is created to read:

5-24 (5A2)

1 16.87 (5) Subsections (1) to (4) do not apply to contracts for construction work
2 to be performed for the state fair park board. The secretary shall prepare and sign
3 contracts for construction work to be performed for the state fair park board in
4 accordance with the approved specifications for the work.

5 **SECTION 15.** 20.190 (1) (h) of the statutes is amended to read:

6 20.190 (1) (h) *State fair operations.* ~~The amounts in the schedule for general~~
7 ~~program operations and for the grant program under s. 42.12.~~ All moneys received
8 by the state fair park board for or on account of the state fair, state fair park or other
9 events and all moneys received from any lease of the Olympic Ice Training Center
10 under s. 42.11 (3) ~~shall be credited to this appropriation to be used to support the~~
11 operation, management and development of state fair park and for the grant
12 program under s. 42.12. The unencumbered balance of this appropriation on June
13 30 of each year shall be transferred to the appropriation under par. (i).

14 **SECTION 16.** 20.924 (3) of the statutes is created to read:

15 20.924 (3) Subsection (1) (a) and (b) does not apply to the acquisition of land
16 for, or the construction, repair, remodeling or improvement of, any building,
17 structure or facility for the state fair park board.

18 **SECTION 17.** 42.01 (4) of the statutes is created to read:

19 42.01 (4) (a) The state fair park board may organize a nonstock corporation
20 under ch. 181 for the purposes of raising funds and providing support for the
21 operation, management and development of state fair park. The board shall
22 organize any corporation organized under this paragraph so that the corporation is
23 exempt from taxation under the section 501 of the Internal Revenue Code.

1 (b) The state fair park board may enter into a contract with any corporation
2 that the board organizes under par. (a) under which the corporation raises funds or
3 provides support for the operation, management and development of state fair park.

4 SECTION 18. 42.01 (5) of the statutes is created to read:

5 42.01 (5) The state fair park board shall ensure that it receives sufficient
6 revenues from the operation of state fair park to make the payments required under
7 s. 20.190 (1) (j).

8 SECTION 19. 42.04 of the statutes is amended to read:

9 42.04 Private operation and leasing. Nothing in this chapter shall prevent
10 The state fair park board may provide for the operation and leasing of any facilities
11 by private entrepreneurs, except that the state fair park board shall reserve the use
12 of state fair park facilities for a sufficient period of time every year for purposes of
13 conducting an annual state fair. This section does not apply to a lease authorized
14 under s. 42.11 (3).

15 SECTION 20. 42.06 of the statutes is repealed.

16 SECTION 21. 42.09 (3) of the statutes is created to read:

17 42.09 (3) The state fair park board may permit a private person to construct
18 a building, structure or facility in the state fair park under a lease agreement with
19 the board.

20 SECTION 22. 42.105 (1) of the statutes is renumbered 42.105.

21 SECTION 23. 42.105 (2) of the statutes is repealed.

22 SECTION 24. 42.106 of the statutes is created to read:

23 42.106 State fair park board, building commission and department of
24 administration. The state fair park board may enter into a memorandum of

40 7 7-24 SA2

8-2 (SAA)
1 understanding with the department of administration and the building commission
2 to coordinate the activities of the board, the department and the commission.

3 **SECTION 25.** 42.12 (1) of the statutes is amended to read:

4 42.12 (1) Beginning on July 1, 1992, in each fiscal year, the state fair park board
5 may award a grant, ~~not to exceed \$35,000,~~ to the city of West Allis to be used to
6 provide crowd and traffic control services related to events held at the state fair park,
7 including events associated with the Olympic Ice Training Center under s. 42.11.

8 **SECTION 26. Nonstatutory provisions.**

9 (1) STATE FAIR PARK BOARD MEMBERSHIP.

10 (a) Notwithstanding section 15.93 of the statutes, as created by this act, the
11 terms of the members of the state fair park board appointed under section 15.445 (4),
12 1997 stats., who are serving on the effective date of this paragraph expire on the
13 effective date of this paragraph or on the day on which a majority of the members of
14 the board who are initially appointed under section 15.93 (1) (a) to (e) of the statutes,
15 as created by this act, are appointed and qualified, whichever is later.

16 (b) Notwithstanding the length of terms specified in section 15.93 (2) of the
17 statutes, as created by this act, the governor shall appoint the initial members of the
18 board under section 15.93 (1) (c) to (e) of the statutes, as created by this act, for the
19 following terms:

20 1. One member under section 15.93 (1) (c) of the statutes, as created by this act,
21 for a term expiring on May 1, 2001.

22 2. One member under section 15.93 (1) (c) of the statutes, as created by this act,
23 and one member under section 15.93 (1) (e) of the statutes, as created by this act, for
24 terms expiring on May 1, 2002.

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3. One member under section 15.93 (1) (c) of the statutes, as created by this act, and one member under section 15.93 (1) (e) of the statutes, as created by this act, for terms expiring on May 1, 2003.

4. The member under section 15.93 (1) (d) of the statutes, as created by this act, and one member under section 15.93 (1) (c) of the statutes, as created by this act, for terms expiring on May 1, 2004.

5. One member under section 15.93 (1) (c) of the statutes, as created by this act, and one member under section 15.93 (1) (e) of the statutes, as created by this act, for terms expiring on May 1, 2005.

10 **SECTION 27. Effective date.**

(1) This act takes effect on the first day of the ~~7th~~ month beginning after publication.

(END)

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(AA2) then ~~8-9~~ 9-9 (SA2)

2nd SA4

~~the~~ month beginning after

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 796**

March 15, 2000 — Offered by Representative STASKUNAS.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 5: delete “\$500,000” and substitute “\$250,000”.

3 **2.** Page 2, line 15: delete “\$500,000” and substitute “\$250,000”.

4 **3.** Page 3, line 2: delete “\$500,000” and substitute “\$250,000”.

5 **4.** Page 3, line 9: delete “\$500,000” and substitute “\$250,000”.

6 (END)

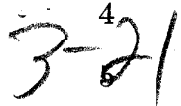
**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 796**

March 15, 2000 - Offered by Representative STASKUNAS.


1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 21: delete lines 21 to 24 and substitute:

3 ~~"SECTION 8c. 15.07 (1) (b) 15m. of the statutes is repealed and recreated to read:~~

4 15.07 (1) (b) 15m. The members of the state fair park board appointed under
5 s. 15.445 (4) (a) 3. to 5." 

6 **2.** Page 4, line 2: delete lines 2 and 3 and substitute "annually by the governor

7 from among the members appointed under s. 15.445 (4) (a) 3., 4. and 5." 

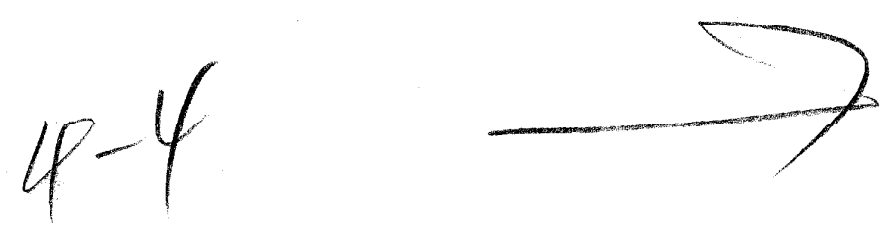
8 **3.** Page 4, line 4: delete lines 4 to 23 and substitute:

9 ~~"SECTION 10e. 15.445 (4) of the statutes is repealed and recreated to read:~~

10 15.445 (4) STATE FAIR PARK BOARD. (a) There is created a state fair park board

11 attached to the department of tourism under s. 15.03, consisting of the following

12 members:



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1 1. Two representatives to the assembly, one recommended by the speaker of the
2 assembly and one recommended by the minority leader of the assembly. This
3 subdivision does not apply after June 30, 2003.

4 2. Two senators, one recommended by the majority leader of the senate and one
5 recommended by the minority leader of the senate. This subdivision does not apply
6 after June 30, 2003.

7 3. Five members representing business, 3 of whom have general business
8 experience, one of whom has experience in agriculture and one of whom has
9 experience with technology.

10 4. One resident of the city of West Allis, recommended by the mayor of West
11 Allis.

12 5. One other member who is a resident of this state.

13 6. The secretary of agriculture, trade and consumer protection and the
14 secretary of tourism.

15 (b) The members of the state fair park board under par. (a) 3. to 5. shall be
16 appointed for 5-year terms".

17 4. Page 8, line 10: delete the material beginning with that line and ending with
18 page 9, line 9, and substitute:

19 (a) Notwithstanding the treatment of section 15.445 (4) of the statutes, by this
20 act, the terms of the members of the state fair park board appointed under section
21 15.445 (4), 1997 stats., who are serving on the effective date of this paragraph expire
22 on the effective date of this paragraph or on the day on which a majority of the
23 members of the board who are initially appointed under section 15.445 (4) (a) 1. to

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1 5. of the statutes, as affected by this act, are appointed and qualified, whichever is
2 later.

3 (b) Notwithstanding the length of terms specified in section 15.445 (4) (b) of the
4 statutes, as affected by this act, the governor shall appoint the initial members of the
5 board under section 15.445 (4) (a) 3. to 5. of the statutes, as affected by this act, for
6 the following terms:

7 1. One member under section 15.445 (4) (a) 3. of the statutes, as affected by this
8 act, for a term expiring on May 1, 2001.

9 2. One member under section 15.445 (4) (a) 3. of the statutes, as affected by this
10 act, for a term expiring on May 1, 2002.

11 3. One member under section 15.445 (4) (a) 3. of the statutes, as affected by this
12 act, for a term expiring on May 1, 2003.

13 4. The member under section 15.445 (4) (a) 4. of the statutes, as affected by this
14 act, and one member under section 15.445 (4) (a) 3. of the statutes, as affected by this
15 act, for terms expiring on May 1, 2004.

16 5. The member under section 15.445 (4) (a) 5. of the statutes, as affected by this
17 act, and one member under section 15.445 (4) (a) 3. of the statutes, as affected by this
18 act, for a term expiring on May 1, 2005."

19 (END)

**SENATE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 796**

March 28, 2000 – Offered by COMMITTEE ON AGRICULTURE, ENVIRONMENTAL
RESOURCES AND CAMPAIGN FINANCE REFORM.

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 **1.** Page 7, line 20: delete lines 20 and 21.

4 (END)

**SENATE AMENDMENT 2,
TO 1999 ASSEMBLY BILL 796**

March 28, 2000 - Offered by COMMITTEE ON AGRICULTURE, ENVIRONMENTAL
RESOURCES AND CAMPAIGN FINANCE REFORM.

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 **1.** Page 3, line 5: after that line insert:

4 ~~"SECTION 4m. 13.48 (29) of the statutes is amended to read:~~

5 13.48 (29) SMALL PROJECTS. Except as otherwise required under s. 16.855 (10m)

6 and (10n), the building commission may prescribe simplified policies and procedures

7 to be used in lieu of the procedures provided in s. 16.855 for any project the estimated

8 construction cost of which does not exceed \$100,000."

9 **2.** Page 4, line 24: before that line insert:

10 ~~"SECTION 10s. 16.75 (3m) (c) 4. and 5. of the statutes are amended to read:~~

11 16.75 (3m) (c) 4. The department shall annually prepare and submit a report

12 to the governor and to the chief clerk of each house of the legislature, for distribution

13 to the appropriate standing committees under s. 13.172 (9), on the total amount of

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1 money paid to and of indebtedness or other obligations underwritten by minority
2 businesses, minority financial advisers and minority investment firms under the
3 requirements of this subsection and ss. 16.855 (10m) and (10n), 16.87 (2), 25.185,
4 84.075 and 565.25 (2) (a) 3. and on this state's progress toward achieving compliance
5 with par. (b) and ss. 16.855 (10m) (a) and (10n), 16.87 (2), 25.185 and 84.075 (1).

6 5. In determining whether a purchase, contract or subcontract complies with
7 the goal established under par. (b) or s. 16.855 (10m) and (10n), 16.87 (2) or 25.185
8 the department shall include only amounts paid to minority businesses, minority
9 financial advisers and minority investment firms certified by the department of
10 commerce under s. 560.036 (2)."

11 **3.** Page 5, line 24: after that line insert:

12 "SECTION 13d. 16.855 (10m) (a) and (c) of the statutes are amended to read:

13 16.855 (10m) (a) ~~In~~ Except as provided in sub. (10n), in awarding construction
14 contracts the department shall attempt to ensure that 5% of the total amount
15 expended in each fiscal year is awarded to contractors and subcontractors which are
16 minority businesses, as defined under s. 16.75 (3m) (a). The department may award
17 any contract to a minority business that submits a qualified responsible bid that is
18 no more than 5% higher than the apparent low bid.

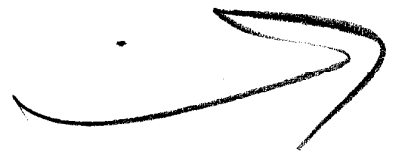
19 (c) The department shall maintain and annually publish data on contracts
20 awarded to minority businesses under this subsection and sub. (10n) and ss. 16.87
21 and 84.075.

22 **SECTION 13h.** 16.855 (10n) of the statutes is created to read:

23 16.855 (10n) (a) In this subsection:

24 1. "Minority business" has the meaning given in s. 560.036 (1) (e).

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5-24 [Signature]

1 2. "Minority group member" has the meaning given in s. 560.036 (1) (f).

2 3. "Women's business" means a sole proprietorship, partnership, joint venture
3 or corporation that is at least 51% owned, controlled and actively managed by
4 women.

5 (b) The department shall enter into a memorandum of understanding with the
6 state fair park board which shall specify procedures for construction work and
7 professional services contracts to be performed for the state fair park board under
8 which any person who is awarded such a contract shall agree, as a condition to
9 receiving the contract, that his or her goal shall be to ensure that at least 25% of the
10 employees hired because of the contract will be minority group members and at least
11 5% of the employees hired because of the contract will be women.

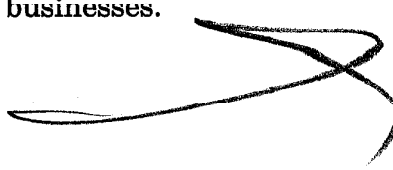
12 (c) It shall be a goal of the department, in coordination with the state fair park
13 board, to ensure that at least 25% of the aggregate dollar value of contracts awarded
14 by the department in the following areas shall be awarded to minority businesses
15 and at least 5% of the aggregate dollar value of contracts awarded by the department
16 in the following areas shall be awarded to women's businesses:

17 1. Contracts for the construction of state fair park facilities.

18 2. Contracts for professional services related to the construction of state fair
19 park facilities.

20 3. Contracts for the development of state fair park facilities.

21 (d) It shall be a goal of the department, in coordination with the state fair park
22 board, with regard to each of the contracts described under par. (c) 1. to 3., to award
23 at least 25% of the dollar value of such contracts to minority businesses and at least
24 5% of the dollar value of such contracts to women's businesses.



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1 (e) 1. Pursuant to the memorandum of understanding under par. (b), the
2 department shall hire an independent person to monitor the compliance of the
3 department and state fair park board with minority contracting goals under pars. (b)
4 to (d). The person hired shall have previous experience working with minority group
5 members. The memorandum of understanding shall include a mechanism for
6 receiving regular reports from the person hired with respect to the results of the
7 person's studies of compliance with minority contracting goals.

8 2. If the department or a contractor is unable to meet the goals under par. (b),
9 (c) or (d), the person hired under subd. 1. shall assess whether the department or
10 contractor made a good faith effort to reach the goals. In determining whether a good
11 faith effort was made to meet the goals, the person hired shall consider all of the
12 following:

13 a. The supply of eligible minority businesses and women's businesses that have
14 the financial capacity, technical capacity and previous experience in the areas in
15 which contracts were awarded.

16 b. The competing demands for the services provided by eligible minority
17 businesses and women's businesses, as described in subd. 2. a., in areas in which
18 contracts were awarded.

19 c. The extent to which the department or contractor advertised for and
20 aggressively solicited bids from eligible minority businesses and women's
21 businesses, as described in subd. 2. a., and the extent to which eligible minority
22 businesses and women's businesses submitted bids.

23 **SECTION 13p.** 16.855 (22) of the statutes is amended to read:

24 16.855 (22) The provisions of this section, except ~~sub.~~ subs. (10m) and (10n),
25 do not apply to construction work for any project the estimated construction cost of



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1 which does not exceed \$100,000 if the project is constructed in accordance with
2 policies and procedures prescribed by the building commission under s. 13.48 (29).
3 If the estimated construction cost of any project is at least \$30,000, and the building
4 commission elects to utilize the procedures prescribed under s. 13.48 (29) to construct
5 the project, the department shall provide adequate public notice of the project and
6 the procedures to be utilized to construct the project on a publicly accessible
7 computer site.

8 **SECTION 13t.** 16.87 (2) of the statutes is amended to read:

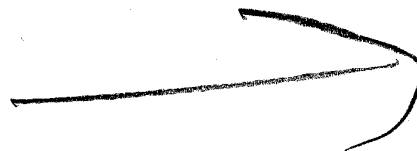
9 16.87 (2) A contract for engineering services or architectural services or a
10 contract involving an expenditure of \$2,500 or more for construction work, or \$20,000
11 or more for limited trades work, to be done for or furnished to the state or a
12 department, board, commission or officer of the state is exempt from the
13 requirements of ss. 16.705 and 16.75. The Except as provided in s. 16.855 (10n), the
14 department shall attempt to ensure that 5% of the total amount expended under this
15 section for these purposes in each fiscal year is paid to minority businesses, as
16 defined under s. 16.75 (3m) (a).

17 **4.** Page 7, line 17: after "(3)" insert "(a)".

18 **5.** Page 7, line 19: after that line insert:

19 "(b) The board shall develop policies encouraging each private person entering
20 into an agreement with the board under this subsection to agree that his or her goal
21 shall be to ensure that at least 25% of the employees hired to perform construction
22 work in connection with state fair park facilities or to perform professional services
23 in connection with the construction or development of those facilities will be minority
24 group members, as defined in s. 560.036 (1) (f), and that at least 5% of the employees

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1 hired to perform construction work in connection with state fair park facilities or to
2 perform professional services in connection with the construction or development of
3 those facilities will be women.

4 (c) It shall be a goal of the board to ensure that at least 25% of the aggregate
5 dollar value of contracts awarded by private persons entering into agreements with
6 the board under this subsection in the following areas shall be awarded to minority
7 businesses, as defined in s. 560.036 (1) (e), and at least 5% of the aggregate dollar
8 value of contracts awarded by private persons entering into agreements with the
9 board under this subsection in the following areas shall be awarded to women's
10 businesses, as defined in s. 16.855 (10n) (a):

11 1. Contracts for the construction of state fair park facilities.

12 2. Contracts for professional services related to the construction of state fair
13 park facilities.

14 3. Contracts for the development of state fair park facilities.

15 (d) It shall be a goal of the board, with regard to each of the contracts described
16 under par. (c) 1. to 3., to ensure that at least 25% of the dollar value of such contracts
17 are awarded by private persons entering into agreements with the board under this
18 subsection to minority businesses, as defined in s. 560.036 (1) (e), and at least 5% of
19 the dollar value of such contracts are awarded by private persons entering into
20 agreements with the board under this subsection to women's businesses, as defined
21 in s. 16.855 (10n) (a).

22 **6.** Page 7, line 24: delete "The" and substitute "(1) Except as provided in sub.

23 24 (2), the.

24 **7.** Page 8, line 2: after that line insert:

1 “(2) The state fair park board shall enter into a memorandum of understanding
2 with the department of administration with respect to oversight of the contracting
3 procedures under s. 16.855 (10n).”

4 **8. Page 8, line 7: after that line insert:**

5 **“SECTION 25g. 560.036 (2) (a) of the statutes is amended to read:**

6 560.036 (2) (a) For the purposes of ss. 16.75 (3m), 16.855 (10m) and (10n), 16.87
7 (2), 18.16, 18.64, 18.77, 25.185, 42.09 (3), 66.911, 119.495 (2), 231.27 and 234.35, the
8 department shall establish and periodically update a list of certified minority
9 businesses, minority financial advisers and minority investment firms. Any
10 business, financial adviser or investment firm may apply to the department for
11 certification. For purposes of this paragraph, unless the context otherwise requires,
12 a “business” includes a financial adviser or investment firm.

13 **SECTION 25r. 560.036 (2) (d) 1. b. of the statutes is amended to read:**

14 560.036 (2) (d) 1. b. The department determines that, with respect to a specified
15 type of supply, material, equipment or service, there are not enough certified
16 minority business suppliers in this state to enable this state to achieve compliance
17 with ss. 16.75 (3m), 16.855 (10m) and (10n), 16.87 (2) and, 25.185 and 42.09 (3).”

18 **9. Page 9, line 9: after that line insert:**

19 **“SECTION 26m. Initial applicability.**

20 (1q) The treatment of sections 13.48 (29), 16.75 (3m) (c) 4. and 5., 16.855 (10m)
21 (a) and (c), (10n) and (22), 16.87 (2), 42.09 (3) (b) to (d) and 560.036 (2) (a) and (d) 1.
22 b. of the statutes first applies with respect to contracts for which bids or competitive
23 sealed proposals are solicited on the effective date of this subsection.”

24

(END)

**SENATE AMENDMENT 4,
TO 1999 ASSEMBLY BILL 796**

March 29, 2000 – Offered by Senator ROSENZWEIG.

1 At the locations indicated, amend the bill, as shown by assembly substitute
2 amendment 1, as follows:

3 **1.** Page 9, line 11: substitute “2nd” for “7th”.

4 (END)